

Dkt. 0575/68547-PCT-US/JPW/AJM/JCS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Shi Du Yan and David Stern  
U.S. Serial No.: 10/577,506  
Filed : October 28, 2004  
For : Methods for Treating Multiple Sclerosis

1185 Avenue of the Americas  
New York, NY 10036  
November 28, 2006

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMMUNICATION IN RESPONSE TO SEPTEMBER 28,  
2006 NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. §371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

This Communication is submitted in response to a September 28, 2006 Notification of Missing Requirements Under 35 U.S.C. §371 in the United States Designated/Elected Office issued by the United States Patent and Trademark Office in connection with the above-identified application. The Notice, a copy of which is attached hereto as **Exhibit A**, provides a period of two months for filing a response. Therefore, a response is due on November 28, 2006. Accordingly, this Communication is being timely filed.

12/04/2006 MKAYPAGH 00000031 10577506

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**REMARKS**

Claims 1-18 are pending in the subject application. Applicants have not added, canceled or amended the claims. Accordingly, claims 1-18 will still be pending and under examination.

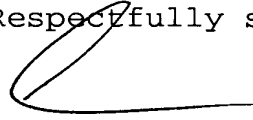
The September 28, 2006 Notification requires the submission of a properly signed oath or declaration. In response, applicants submit as **Exhibit B** a signed Declaration and Power of Attorney in compliance with 37 C.F.R. §1.497(a) and (b). The surcharge for filing the Declaration is \$130.00 for a large entity, and a check for this amount is enclosed.

If a telephone interview would be of assistance in advancing the prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

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No fee, other than the \$130.00 Declaration surcharge, is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Alan J. Morrison  
Reg. No. 37,399

11/28/06  
Date



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/577,506	Shi Du Yan	68547PCTUSJPWCH

INTERNATIONAL APPLICATION NO.
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PCT/US04/36170

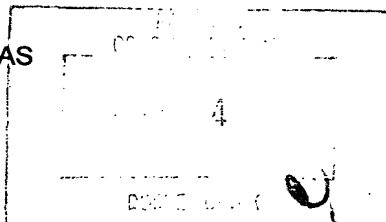
I.A. FILING DATE	PRIORITY DATE
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10/28/2004

10/31/2003

23432

COOPER & DUNHAM, LLP  
1185 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036



CONFIRMATION NO. 9792

371 FORMALITIES LETTER



\*OC000000020609819\*

Date Mailed: 09/28/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/27/2006
- Copy of the International Search Report filed on 04/27/2006
- Preliminary Amendments filed on 04/27/2006
- Information Disclosure Statements filed on 04/27/2006
- Biochemical Sequence Diskette filed on 04/27/2006
- Oath or Declaration filed on 04/27/2006
- Biochemical Sequence Listing filed on 04/27/2006
- Small Entity Statement filed on 04/27/2006
- Request for Immediate Examination filed on 04/27/2006
- U.S. Basic National Fees filed on 04/27/2006
- Priority Documents filed on 04/27/2006

2mc - 11/28/06  
3mc 12/28/06  
4mc 11/28/07  
3mc 2/28/07  
6mc 3/28/07  
7mc 4/28/07

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27,

, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/577,506	PCT/US04/36170	68547PCTUSJPWCH

FORM PCT/DO/EO/905 (371 Formalities Notice)